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PATENT

Attorney Docket No. 3077.1A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: GOLDBERG, et al.

Examiner: TBA

Serial No: 10/044,428

Group Art Unit: TBA

Filing Date: October 26, 2001

Title: METHOD OF MANUFACTURING

BIOLOGICAL CHIPS (as amended)

BOX MISSING PARTS
Washington, D.C. 20231

**TRANSMITTAL FOR RESPONSE TO NOTICE TO FILE
MISSING PARTS OF NON-PROVISIONAL APPLICATION**

Dear Sir:

In response to the "Notice to File Missing Parts of Application – Filing Date Granted" mailed by the United States Patent and Trademark Office on March 25, 2002, the following documents are enclosed to complete the filing of the above-identified patent application:

1. Fee Transmittal (1 page);
2. Power of Attorney or Authorization of Agent Not Accompanying Application (1 page);
3. Statement Under 37 CFR 3.73(b), (1 page);
4. Copy of Joint Declaration for Patent Application (originally filed with parent), (2 pages);
5. Submission of Substitute Formal Drawings (1 page);
6. Five (5) sheets of Substitute Formal Drawings, Figs. 1, 2a, 2b, 3, and 4;
7. Response to Notice to Comply with 37 CFR 1.821-1.825 (1 page);
8. Copy of Notice to File Missing Parts of NonProvisional Application, (2 pages).

The United States Patent and Trademark Office is hereby authorized to charge the following fees to Deposit Account No. 19-2386;

Surcharge for filing declaration on a date later than the filing date of application \$130.00.

TOTAL FEE

\$130.00

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 01-0431.

It is hereby respectfully submitted that the enclosed documents complete the filing of the above patent application and justify the filing date of October 26, 2001. Please telephone the undersigned at (408) 731-5000, if there are any questions. This form is being submitted in duplicate.

I hereby certify that this correspondence is being deposited by Express Mail to Commissioner For Patents, Washington, D C 20231 On <u>5/16/02</u> Express Mail No. <u>EL 675 608 141 US</u>	
AFFYMETRIX, INC. By <u>[Signature]</u>	

Respectfully submitted,

[Signature]

Man Sung Co
Reg. No. 42,423

Legal Department
Affymetrix, Inc.
3380 Central Expressway
Santa Clara, CA 95051
Tel: 4008/731-5000
Fax: 408/731-5392



FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT (\$ 130

Complete if Known

Application Number	10/044,428
Filing Date	10/26/01
First Named Inventor	Martin J. Goldberg
Examiner Name	TBA
Group / Art Unit	TBA
Attorney Docket No	3077 1A

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																																																	
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unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,280</td> <td>241</td> <td>640</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>142</td> <td>1,280</td> <td>242</td> <td>640</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143</td> <td>460</td> <td>243</td> <td>230</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144</td> <td>620</td> <td>244</td> <td>310</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Processing fee under 37 CFR 1.17 (q)</td> <td></td> </tr> <tr> <td>126</td> <td>180</td> <td>126</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>146</td> <td>740</td> <td>246</td> <td>370</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>149</td> <td>740</td> <td>249</td> <td>370</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td>179</td> <td>740</td> <td>279</td> <td>370</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>169</td> <td>900</td> <td>169</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> </tbody> </table>				Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	130.00	127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	400	216	200	Extension for reply within second month		117	920	217	460	Extension for reply within third month		118	1,440	218	720	Extension for reply within fourth month		128	1,960	228	980	Extension for reply within fifth month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,280	241	640	Petition to revive - unintentional		142	1,280	242	640	Utility issue fee (or reissue)		143	460	243	230	Design issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Processing fee under 37 CFR 1.17 (q)		126	180	126	180	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))		149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))		179	740	279	370	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application	
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SUBMITTED BY			Complete (if applicable)		
Name (Pnnt/Type)	Man Sung Co	Registration No. Attorney/Agent)	42,423	Telephone	(408) 731-5000
Signature				Date	5/13/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Express Mail No.: EL 675 508 141 US



UNITED STATES PATENT AND TRADEMARK OFFICE

10044MSE7 051602 Page 1 of 2

3077.1A

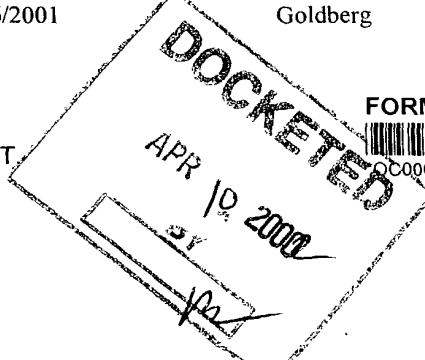
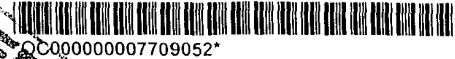
COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D. C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/044,428	10/26/2001	Goldberg	3077.1A

22886
AFFYMETRIX, INC
ATTN: CHIEF IP COUNSEL, LEGAL DEPT.
3380 CENTRAL EXPRESSWAY
SANTA CLARA, CA 95051

CONFIRMATION NO. 1948

FORMALITIES LETTER



Date Mailed: 03/25/2002

due 5/25/02

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/22/2002 10044MSE7 00000104 010421 10044MSE7
01 FC5105 130.00 CH
FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

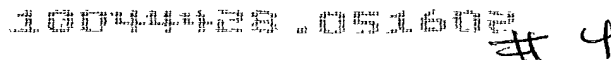
- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also

For questions regarding compliance to these requirements, please contact:

- A copy of this notice **MUST** be returned with the reply.*

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney Docket No. 3077.1A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GOLDBERG, et al.

Application No.: 10/044,428

Filed: October 26, 2001

For: METHOD OF MANUFACTURING
BIOLOGICAL CHIPS (as amended)

Examiner: TBA

Art Unit: TBA

Box Missing Parts
Commissioner of Patents
Washington, D.C. 20231

SUBMISSION OF SUBSTITUTE FORMAL DRAWINGS

Dear Sir:

Applicant submits five (5) sheets of formal drawings, consisting of Figures 1, 2a, 2b, 3, and 4, in the above-named application. If there are any questions regarding these drawings, please call the undersigned at (408) 731-5000.

The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account No. 01-0431.

Please telephone the undersigned at (408) 731-5000, if there are any questions.
This form is being submitted in duplicate.

I hereby certify that this correspondence is being deposited by
Express Mail to Commissioner For Patents, Washington, D C
20231
On May 16, 2002
Express Mail No EL 508 508 141 US
AFFYMETRIX, INC
By Sylvia Lopez

Respectfully submitted,

Man Sung Co
Reg. No. 42,423

Legal Department
Affymetrix, Inc.
3380 Central Expressway
Santa Clara, CA 95051
Tel: 4008/731-5000
Fax: 408/731-5392



11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

PTO/SB/96 (08-00)

Approved for use through 10/31/2002 OMB 0651-0031

U S Patent and Trademark Office, U S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Martin J. Goldberg et al.

Application No./Patent No.: 10/044,428

Filed/Issue Date: October 26, 2001

Entitled: Method of Manufacturing Biological Chips (as amended)

Affymetrix, Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e g , corporation, partnership, university, government agency, etc)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel 9930, Frame 0035, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

May 15, 2002
Date

Barbara A. Caulfield
Signature

Barbara Caulfield

Typed or printed name

Executive Vice President &
General Counsel

Title

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

Express Mail No.: EL 675 508 141 US